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Herbert A. Miller
INDIAN RIGHTS ASSOCIATION,
1305 ARCH ST., PHILADELPHIA, November, 1893.

A DANGEROUS ASSAULT UPON THE INTEGRITY OF THE CIVIL SERVICE LAW IN THE INDIAN SERVICE.

We call immediate attention to a recommendation made by the Indian Commissioner in his report just issued, which we cannot but interpret as in effect a most serious attack upon the Civil Service Law, which was recently extended to the Indian Service. We ask the careful consideration of the public to this matter, and in all instances where our view of the case is adopted we trust that the friends of the Indian and of good government will use all proper means for the expression of their protest—such as editorials in the secular and religious press, personal letters to the President and to the authorities of the Indian Office, and to Representatives in Congress, in order to prevent the adoption of the recommendation referred to.

The Commissioner asks that in the case of bonded superintendents of Government Indian schools the newly extended Civil Service rules, requiring a competitive examination before appointment, be abolished. The reason advanced for asking the abrogation of the rules in reference to bonded superintendents is that more suitable appointments could be made under the old system, which permitted the appointing officer to make selections without any of the limitations now imposed by the rules. The effect of this recommendation, if it is obtained, will be a reversal to the spoils system—first, in the case of bonded superintendents, and step by step in the case of all other positions which are now protected by the rules. Appointments will then be made by an appointing officer who, in the great majority of cases, will inevi-

tably make his selections under the importunities of Congressmen and other politicians who wish to use the offices in the Indian Service not primarily for the benefit of that Service, or for the good of the Indians, but for the advantage of their party or gifts to their personal friends.

Eleven years' experience with the actual working of the spoils system justifies us in stating most emphatically that such is its practical operation. For eleven years we have fought in every honorable way known to us to rescue the Indian Service from this degrading and demoralizing system. We have succeeded, through the power of public sentiment, in gaining that point where we can at least say that the Civil Service Law has entrenched itself in the Indian Service. We see in this recommendation the first step toward the destruction of what has been accomplished with so much effort and at so much cost. If this step be taken, a complete abrogation of the Civil Service Law in the Indian Service will be its logical sequence. If the reasons alleged by the Commissioner for removing bonded superintendents are sound, the same reasons will apply with nearly equal force to other positions. If the appointing officer can choose best when untrammeled by the limitations of the law in regard to bonded superintendents, he can also choose best in the case of teachers, physicians, and other subordinates. The arguments of the case are, with one exception, adequately presented by recent articles in "Good Government" and the New York *Evening Post*, quoted below. Of the exception referred to we will treat briefly. The Commissioner alleged a lack of practical information regarding the business qualities of persons certified to by the Civil Service Commission as having passed their examination and being eligible for his appointment. We think the public will be under a misapprehension from this statement of the case, since a number of the questions to which applicants are subjected by the Commission are especially designed to ascertain the past record and occupation of such applicants, and to elicit practical information regarding them from which an appointing officer can judge of their probable fitness, just as he would be obliged to judge if he were to make the appointment wholly untrammeled by any regulations. In the latter case he would depend upon information submitted to him regarding business

capacity from various witnesses who, let it be remembered, are usually under the compulsion of powerful partisan bias to obtain the appointment. In this case he has information elicited from the applicant himself, the accuracy of which he is quite free to follow up and test by inquiry. If he finds that an eligible, for example, is third on the list he can select him in preference to the other two who have higher scholastic averages, in view of his record showing greater practical fitness. Or, in the case of all three eligibles being deficient in practical experience, which would lead the appointing officer to think rendered their appointments unwise, he could apply to the Commission for the three next eligibles on the list with a view to securing greater practical experience. This request the Commission might accede to or deny, according to its judgment. It is somewhat amusing to one who knows how small a part fitness on the part of an applicant for office in the Indian Service has played in his selection under the spoils system to see an advocate for a return to that system urge a desire to secure this quality of fitness as an argument for the proposed course. The chances for fitness being obtained under the new system are immeasurably increased. We trust that this whole question will be opened fully and freely to public discussion, and its merits carefully considered before the recommendation referred to is adopted. We believe that such a consideration of it will lead to an overwhelming protest against its adoption.

HERBERT WELSH,
Corresponding Secretary Indian Rights Association.

From "Good Government," Washington, D. C., November 15, 1893.

TRYING TO UNDO A GOOD WORK.

The Commissioner of Indian Affairs, in his annual report for 1893, urges the exemption of bonded superintendents of Indian schools from the operation of the Civil Service rules.

This is merely in pursuance of the old and absurd plea that bonded officers ought to be selected without competitive examination on account of the need of men of character and responsibility in such positions—as if a man lost any of his character and responsibility by the addition of a plain English education to the other elements of his equipment!

It is sincerely to be hoped that the President will not yield to this pressure. When the bonded places are exempted the next step will be to put all the superintendents under bonds, and thus turn over the chief places in the Indian school service to the spoilsmen once more.

It took many years of earnest effort to get the rules extended to cover the superintendents. To take them out now will be merely to undo the good work done at such a cost.

From New York "Evening Post," November 10, 1893.

THE INDIAN SERVICE.

A Complaint of the Civil Service Rules by the Commissioner—
What It Amounts To.

[Special Despatch to The Evening Post.]

WASHINGTON, November 10.—The report of the Commissioner of Indian Affairs for 1893, which has just been issued from the Government Printing Office, contains a passage headed "Modification of Civil Service Rules." It says:—

"Under an executive order, issued in the summer of 1891, the operation of the Civil Service Law was extended over physicians,

teachers, matrons, and school superintendents in the Indian Service. This includes not only the superintendents who carry on schools where the Indian Agents are responsible for the school property and expenditures, but also bonded superintendents—those who have entire responsibility, under heavy bonds, for everything connected with their school, including financial management and property interests. The proper conduct of everything pertaining to the clothing, feeding, housing, and instructing of from 100 to 500 girls and boys calls for very large executive ability, business capacity and experience, and general knowledge of affairs, in addition to the qualifications for strictly educational work usually expected of a school superintendent. Lack of business management is ordinarily the weak point of bonded superintendents who fail.

"A certification from the Civil Service Commission of names on the eligible list gives no information whatever as to the capacity of the persons certified for conducting business affairs, and I question if any system of written competitive examinations could be relied upon to furnish information of such a character. In view of the absolute necessity that the superintendents of bonded schools, especially the large reservation schools, should be men of unusual force of character and business capacity, and in view of the inadequacy of a civil-service examination to indicate such qualifications, I am of the opinion that the good of the service will be promoted by removing bonded school superintendents from the operation of the Civil Service Law—so that such superintendents may be selected solely by reason of their fitness for the difficult and peculiar duties which will be imposed upon them instead of being gauged by their rank in a pedagogical examination."

This is quite in line with efforts which are being made in various other parts of the Interior Department to nullify the effect of the Civil Service Law and Rules. The important fact is, not that the officers making these suggestions are desirous simply of bringing about the particular changes they propose, but that they are disposed to strike at the whole merit system piecemeal. Having exempted one class of functionaries from the operation of the Civil Service Rules, it would be easy to procure the exemption of another and another class, until presently there would not be enough left under the operation of the rules to be worth saving.

Inquiry at the Indian Bureau shows that there is an inclination there already to complain of the operation of the rules in the service generally. The only distinct ground for fault-finding, so

far as can be ascertained, is that delays and hitches sometimes occur when it is desired to make an appointment speedily. The Commissioner complains that, here and there, persons who have been placed on the Civil Service Commission's eligible list find employment in private life, or for some other reason decline to serve when offered an appointment. With a view to seeing how much of a real grievance this is, your correspondent referred to-day to the books in the office of the Commission, and found that of 49 matrons selected by the Commission as eligibles, 19 had found something in the way of their acceptance of the place when offered; of superintendents, 22 were selected, and there were only 4 such hitches; of physicians of both sexes, 45 were selected, and there were only 4 who were prevented from accepting; of teachers of both sexes, 184 were selected, and only 30 hitches occurred.

What the trouble in these cases amounts to may be judged from the fact that, in almost all the cases of teachers, the small pay—in the light of the distant journey from home and the disagreeable environments—involved in the first offer of a position, has induced them to wait and try their chances again later. Most of the cases where matrons have hesitated to accept have been where their husbands were eligible for appointments as superintendents, and had not yet been reached in the certifications. These women naturally desired to be assigned to the same schools with their husbands, and, rather than be separated, declined their first offers with a view to a later certification to a place to which both could go.

The idea that it is any the less easy to find a complete bonded officer by subjecting applicants to a Civil Service examination, than to find a competent officer who does not have to give a bond, is, of course, too silly to call for sober argument. If any risk is involved to the Government, the Government is certainly just as well protected by the bond of a man chosen by competitive examination as by that of one who has been foisted on the public service by some Western Senator with a political debt to pay. As for determining a man's qualifications, it can be done only by trial anyway, and the probationary period under the Civil Service Rules affords just as good a test as a similar period under the patronage system.

Neither will any sober person argue that men of character and responsibility are entirely confined to the class who cannot pass a competitive examination. All that the Civil Service Rules do is to provide a select corps of men who are able to pass such an examination with credit, so that men of character and responsibility may be selected from this group rather than taken indiscriminately from an organization of party workers.

If the whole desire of the Indian Commissioner or the Secretary of the Interior were actually to procure some simple amendment of the system or modification of the character of the examination, which would do away with present grievances, they could undoubtedly accomplish their object by a friendly conference with the Civil Service Commission, whose members have always shown a disposition to co-operate with the heads of departments and bureaus for facilitating rather than embarrassing business. The case has never yet arisen where an honest attempt has been made to overcome a real difficulty without the discovery of some way of doing it short of striking a blow at the fundamental principles of the merit system. It is to be hoped that the President, who has seen how these things work, will warn Secretary Smith to keep his hands off.

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